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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/670,118	09/26/2000	MICHAEL S. DARSILLO	99078X206650	5497

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EXAMINER

BERNATZ, KEVIN M

ART UNIT

PAPER NUMBER

1773

DATE MAILED: 11/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

YB

Office Action Summary	Application No. 09/670,118	Applicant(s) DARSILLO ET AL.	
	Examiner Kevin M Bernatz	Art Unit 1773	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7,27-30,33 and 44-57 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7,27-30,33 and 44-57 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Amendments to the specification and claims 1, 6 – 28, 31, 32, and 34 - 57, filed on August 9, 2002, have been entered in the above-identified application.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

3. Claims 1, 5, 7, 27, 28, 33, 44 – 49, 52, 53 and 55 – 57 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Regarding claim 33, there is insufficient antecedent basis for this claim since it depends on a cancelled base claim. For purposes of evaluating the prior art, the claim was deemed to depend from claim 1.
5. Regarding claims 1, 5, 7, 27, 28, 44 – 49, 52, 53 and 55 -57, the phrases "at least about" and "less than about" renders the claim(s) indefinite because the metes and bounds are ill defined. The basis of this rejection is maintained for the reasons of record as set forth in Paragraph No. 7 of the Office Action mailed on April 9, 2002 (Paper No. 11).

Claim Rejections - 35 USC § 102

6. Claims 27 and 28 rejected under 35 U.S.C. 102(b) as being anticipated by Liu et al. ('374 A2) for the reasons of record as set forth in Paragraph No. 7 of the Office Action mailed on April 9, 2002 (Paper No. 11).

Claim Rejections - 35 USC § 103

7. Claims 1 – 5, 29, 30, 33, 46 - 51 and 54 – 57 are rejected under 35 U.S.C. 102(e) as anticipated by *or, in the alternative, under 35 U.S.C. 103(a)* as obvious over Yoshida et al. ('031).

Regarding claim 1, Yoshida et al. disclose a recording medium comprising a substrate having a glossy coating thereon, the glossy coating comprising alumina particles and a binder (col. 1, line 64 bridging col. 2, line 13; col. 12, lines 14 – 17; and example 23 – col. 22, lines 35 - 57), wherein the alumina particles are aggregates of primary particles (col. 4, lines 3 - 18) and have a surface area of about 30 – 80 m²/g (col. 3, lines 13 – 18 and examples).

It has been held that where claimed and prior art products are identical or substantially identical in structure or composition, or are produced by identical or substantially identical processes, a *prima facie* case of either anticipation or obviousness has been established and the burden of proof is shifted to applicant to show that prior art products do not necessarily or inherently possess characteristics of claimed products where the rejection is based on inherency under 35 USC 102 or on *prima facie* obviousness under 35 USC 103, jointly or alternatively. Therefore, the

prime facie case can be rebutted by **evidence** showing that the prior art products do not necessarily possess the characteristics of the claimed product. *In re Best*, 562 F.2d 1252, 1255, 195 USPQ 430, 433 (CCPA 1977). "When the PTO shows a sound basis for believing that the products of the applicant and the prior art are the same, the applicant has the burden of showing that they are not." *In re Spada*, 911 F.2d 705, 709, 15 USPQ2d 1655, 1658 (Fed. Cir. 1990).

In the instant case, the prior art coating comprises substantially identical composition to the claimed invention (i.e. aggregates of alumina particles in a binder).

Therefor, in addition to the above disclosed limitations, the presently claimed property of a 75° specular gloss of at least 15% would have inherently been present because the prior art product is substantially identical in composition to the claimed invention, and there is no evidence currently of record showing that the disclosed prior art products do not necessarily possess the characteristics of the claimed product.

Furthermore, even in the case wherein the disclosed invention of Yoshida et al. fails to inherently possess a 75° specular gloss of at least 15%, it would have been obvious to provide a 75° specular gloss meeting applicants' claimed limitations since the 75° specular gloss is a cause-effective variable in terms of surface roughness and particle dispersion (higher gloss value corresponds to a smoother surface and better dispersion – see pertinent prior art cited below: Kurose et al., Ishino et al., and Kajihara et al.).

It would therefor have been obvious to one having ordinary skill in the art to have determined the optimum value of a cause effective variable such as the 75° specular

gloss through routine experimentation, especially given the knowledge that the 75° specular gloss is related to the surface roughness and particle dispersion. *In re Boesch*, 205 USPQ 215 (CCPA 1980), *In re Woodruff*, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990).

Regarding claims 2 and 3, Yoshida et al. disclose substrates meeting applicants' claimed limitations (example 23 – col. 22, lines 35 - 57).

Regarding claim 4, the limitation “are fumed alumina particles” is a product-by-process limitation and is not further limiting in so far as the structure of the product is concerned. “[E]ven though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. ***The patentability of a product does not depend on its method of production.*** If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process.” [emphasis added] *In re Thorpe*, 777 F.2d 695, 698, 227 USPQ 964, 966 (Fed. Cir. 1985). See MPEP § 2113. Once a product appearing substantially identical is found, the burden shifts to applicant to show an ***unobvious*** difference between the claimed product and the prior art product. *In re Marosi*, 710 F.2d 798, 802, 218 USPQ 289, 292 (Fed. Cir. 1983).

In the instant case, the prior art disclose a product appearing substantially identical to the claimed product (aggregates of alumina formed by a variety of methods – col. 2, lines 15 – 45) and the examiner deems that there is no unobvious difference between using fumed alumina versus alumina made by a different process.

Regarding claims 5, 29, 30, 33, 49 – 51 and 54, Yoshida et al. disclose alumina agglomerates meeting applicants' claimed limitations (col. 3, lines 13 – 24; col. 4, lines 3 – 18; col. 18, lines 45 – 48; and examples – e.g. example 13).

Regarding claims 46 and 55, the 75° specular gloss is inherently present in the disclosed prior art product for the reasons cited above.

Furthermore, in the case where the claimed 75° specular gloss is not inherently present, it would have been obvious to optimize the 75° specular gloss to meet applicants' claimed limitations, since the 75° specular gloss is a cause-effective variable in terms of surface roughness and particle dispersion, as described above. It would therefor have been obvious to one having ordinary skill in the art to have determined the optimum value of a cause effective variable such as the 75° specular gloss through routine experimentation, especially given the teachings described above.

Regarding claims 47, 48, 56 and 57, Yoshida et al. disclose a coating comprising substantially identical composition to the claimed invention (i.e. aggregates of alumina particles in a binder).

Therefor, in addition to the above disclosed limitations, the presently claimed property of a total mercury intrusion volume would have inherently been present because the prior art product is substantially identical in composition to the claimed invention, and there is no evidence currently of record showing that the disclosed prior art products do not necessarily possess the characteristics of the claimed product.

Furthermore, even in the case wherein the disclosed invention of Yoshida et al. fails to inherently possess a total mercury intrusion volume meeting applicants' claimed

limitations, the total mercury intrusion volume is a cause-effective variable in terms of porosity (applicants' specification, page 14, lines 10 – 29).

It would therefor have been obvious to one having ordinary skill in the art to have determined the optimum value of a cause effective variable such as the total mercury intrusion volume through routine experimentation, especially given the knowledge that the total mercury intrusion volume is related to the porosity and the porosity is known to effect the surface roughness and running properties of the medium.

8. Claims 1, 4, 5, 7, 29 – 30, 33 and 44 – 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imabeppu et al. (U.S. Patent No. 6,096,157)

Regarding claim 1, Imabeppu et al. disclose a recording medium comprising a substrate having a glossy coating thereon, the glossy coating comprising alumina particles and a binder (col. 1, lines 10 – 15; col. 2, lines 8 – 13; and col. 4, lines 66 - 67), wherein the alumina particles are aggregates of primary particles (col. 4, lines 48 – 53) and have a surface area of about 30 – 80 m²/g (col. 4, lines 30 – 32 and lines 40 – 48 and claim 2).

In the instant case, the prior art coating comprises substantially identical composition to the claimed invention (i.e. aggregates of alumina particles in a binder).

Therefore, in addition to the above disclosed limitations, the presently claimed property of a 75° specular gloss of at least 15% would have inherently been present because the prior art product is substantially identical in composition to the claimed invention (see also Table 1), and there is no evidence currently of record showing that

the disclosed prior art products do not necessarily possess the characteristics of the claimed product.

Furthermore, even in the case wherein the disclosed invention of Imabeppu et al. fails to inherently possess a 75° specular gloss of at least 15%, it would have been obvious to provide a 75° specular gloss meeting applicants' claimed limitations. Imabeppu et al. disclose a high gloss ink jet film is desired (col. 1, lines 10 – 13; col. 6, lines 32 – 34; and Table 1).

It would therefor have been obvious to one having ordinary skill in the art to have determined the optimum value of a cause effective variable such as the 75° specular gloss through routine experimentation, especially given the knowledge that a high gloss ink jet film is desired.

Imabeppu et al. disclose an overlapping range of specific surface area (10 – 200 m²/g), but does not explicitly teach an embodiment within applicants' claimed range (about 30 – 80 m²/g).

However, it would have been obvious to determine the optimal value of a cause effective variable such as the specific surface area through routine experimentation, especially given the knowledge that the specific surface area effects the preservability and the ink absorptivity (Imabeppu et al., col. 4, lines 30 – 47).

Regarding claim 4, the limitation “are fumed alumina particles” is a product-by-process limitation and is not further limiting in so far as the structure of the product is concerned. In the instant case, the prior art disclose a product appearing substantially identical to the claimed product (aggregates of alumina with a low bulk density – col. 2,

lines 53 - 55) and the examiner deems that there is no unobvious difference between using fumed alumina versus alumina made by a different process.

Regarding claims 5, 29, 30, 33, 49 – 51 and 54, Imabeppu et al. disclose alumina agglomerates meeting applicants' claimed limitations (col. 4, lines 30 – 53; claims 2 and 5). It would have been obvious to determine the optimal value of a cause effective variable such as the average diameter and specific surface area through routine experimentation, especially given the knowledge that the average diameter and specific surface area are cause-effective variables in terms of dispersion properties, preservability and ink absorptivity.

Regarding claims 7, 44, 45, 52 and 53, Imabeppu et al. disclose a solids content and alumina-to-binder ratio meeting applicants' claimed limitations (col. 4, lines 66 – 67 and col. 5, lines 12 – 26 and lines 45 - 48). The limitation "drying the ..medium" is a product-by-process limitation and is not further limiting in so far as the structure of the product is concerned.

Regarding claims 46 and 55, the 75° specular gloss is inherently present in the disclosed prior art product for the reasons cited above.

Furthermore, in the case where the claimed 75° specular gloss is not inherently present, it would have been obvious to optimize the 75° specular gloss to meet applicants' claimed limitations, since the 75° specular gloss is a cause-effective variable in terms of surface roughness and particle dispersion, as described above. It would therefor have been obvious to one having ordinary skill in the art to have determined the

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optimum value of a cause effective variable such as the 75° specular gloss through routine experimentation, especially given the teachings described above.

Regarding claims 47, 48, 56 and 57, Imabeppu et al. disclose a coating comprising substantially identical composition to the claimed invention (i.e. aggregates of alumina particles in a binder).

Therefor, in addition to the above disclosed limitations, the presently claimed property of a total mercury intrusion volume would have inherently been present because the prior art product is substantially identical in composition to the claimed invention, and there is no evidence currently of record showing that the disclosed prior art products do not necessarily possess the characteristics of the claimed product.

Furthermore, even in the case wherein the disclosed invention of Imabeppu et al. fails to inherently possess a total mercury intrusion volume meeting applicants' claimed limitations, the total mercury intrusion volume is a cause-effective variable in terms of porosity (applicants' specification, page 14, lines 10 – 29).

It would therefor have been obvious to one having ordinary skill in the art to have determined the optimum value of a cause effective variable such as the total mercury intrusion volume through routine experimentation, especially given the knowledge that the total mercury intrusion volume is related to the porosity and the porosity is known to affect the ink absorptivity (see Imabeppu et al., col. 7, lines 9 – 26, which teaches controlling the air permeability, which is also related to the porosity, in order to control provide excellent ink absorptivity).

9. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imabeppu et al. as applied above, and further in view of Kijimuta et al. (U.S. Patent No. 6,187,419).

Imabeppu et al. is relied upon as described above.

Imabeppu et al. fail to disclose substrates meeting applicants' claimed limitations.

However, Kijimuta et al. teach an ink jet recording medium comprising aggregates of alumina on a substrate (col. 1, lines 45 – 49 and col. 3, lines 18 – 21), wherein the substrates disclosed meet applicants' claimed limitations (col. 2, lines 23 – 32) and are art recognized equivalents to the substrates disclosed by Imabeppu et al. (Imabeppu et al., col. 5, lines 57 – 60).

It would therefore have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the device of Imabeppu et al. to use a substrate meeting applicants' claimed limitations as taught by Kijimuta et al. since the claimed substrates are all known art recognized equivalent substrates for use as an ink jet recording medium base substrate.

Response to Arguments

10. The rejection of claims 5, 7, 8 and 13 under 35 U.S.C § 112, 2nd Paragraph

Applicants argue that "at least about" and "less than about" are definite because they are commonly found in the claims of U.S. patents and that the above phrases should be accorded their "ordinary" meaning and not the mathematically defined meaning argued by the examiner. The examiner respectfully disagrees.

It has been found that the phrase "less than about" is indefinite barring a showing in the specification as to what values around the endpoint are envisioned to be encompassed by the word "about". *Ex parte Lee*, 31 USPQ2d 1105 (BdPatApp&Int. 1993). In the instant case, applicant(s) have used the **mathematical expression** "less than about" (or its equivalents), namely "at least about". In both cases, the phrases used have **exact** meanings (i.e. "greater than X" and/or "less than X") which are combined with a **non-exact** modifier (i.e. "about"). As such, the expressions are indefinite since the exact expression(s) "at least" and "less than" require(s) an exact endpoint and the modifier "about" removes that exact endpoint. Only in cases where it is clear from provided experimental data what the "about" is intended to encompass are the phrases "less than about" or "greater than about" (or their equivalents) considered definite.

11. The rejection of claims 1 – 5, 7 and 27 - 30 under 35 U.S.C § 102(b) – Liu et al.

The rejection of claims 6 and 31 – 33 under 35 U.S.C § 103(a) – Liu et al. in view of Yoshida et al.

With regard to claims 1 – 7 and 29 - 33, applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Regarding claims 27 and 28, applicant(s) argue(s) that alumina silicate particles do not read on applicants' claimed invention. The examiner respectfully disagrees.

The examiner notes that the specification is not the measure of the invention. Therefor, limitations contained therein can not be read into the claims for the purpose of avoiding prior art. *In re Sporck*, 55 CCPA 743, 386 F.2d 924, 155 USPQ 687 (1968). Applicants' claims are open to additional components being present in both the coatings and the particles. As clearly stated by applicants, the Liu et al. invention is "a product containing *alumina moieties and silica moieties*". As such the examiner deems that the alumina silicate particles read on the limitation "comprising alumina particles".

12. The rejection of claims 1 – 6 and 29 - 33 under 35 U.S.C § 102(e) – Yoshida et al.

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection. In so far as they apply to the current rejection of record, applicants argue that Yoshida et al. is not analogous to the claimed invention. The examiner respectfully disagrees.

The examiner reminds applicants that the specification is not the measure of the invention. Therefor, limitations contained therein can not be read into the claims for the purpose of avoiding prior art. Applicants' presently claimed invention is directed to "A recording medium", not the specific limitations of an ink jet medium, etc. as argued by applicants (e.g. see claims for U.S. Patents '440, '001, '891, '157 and '419 which clearly distinguish between a magnetic recording medium and an ink-receiving medium). Furthermore, the examiner notes that magnetic recording media and ink-receiving media **are** analogous art (see pertinent prior art cited below – Ito et al.; and applicants'

admission of IDS reference JP 07 – 060832 A, which is directed to a “Biaxially oriented film useful for magnetic recording media – contains aggregated alpha-alumina particles and opt. Mono-dispersed particles etc”).

In addition, the examiner notes that an invention may be obvious if the prior art has different reasons for doing what the applicant has done. “It has long been held that a rejection under 35 USC 103 based upon a combination of references is not deficient solely because the references are combined based upon a reason or technical consideration which is different from that which resulted in the claimed invention.” *Ex parte Raychem Corp.* 17 USPQ 2d 1417, 1424 (BPAI 1990). Cites *In re Kronig* 190 USPQ 425 (CCPA 1976); *In re Gershon* 152 USPQ 602 (CCPA 1967). See also *In re Beattie* 24 USPQ 2d 1040, 1042 (Fed. Cir. 1992); *In re Wiseman* 201 USPQ 638 (CCPA 1979); *In re May* 197 USPQ 601 (CCPA 1978); *In re Lintner* 173 USPQ 560, 562 (CCPA 1972); *In re Tomlinson* 150 USPQ 623 (CCPA 1966); and *In re Kemps*, 97 F.3d 1427, 1430, 40 USPQ2d 1309, 1311 (Fed. Cir. 1996). Since the references relied upon in the various combinations are analogous to each other (magnetic recording media with magnetic recording media or ink-receiving media with ink-receiving media), the examiner deems that the combinations are proper since applicants’ present claims read on both magnetic recording media **and** ink-receiving media for the reasons explained above.

13. The rejection of claims 1 – 5 and 28 - 30 under 35 U.S.C § 102(b) – Okazaki et al.

The rejection of claims 6, 7, 27 and 31 – 38 under 35 U.S. C. § 103(a) – Okazaki et al. in view of various references

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kurose et al. (U.S. Patent No. 5,616,398) disclose a 60° specular gloss for magnetic recording media of 100% or more (col. 14, lines 20 – 23 and Table 3). Ishino et al. (U.S. Patent No. 4,476,257) teach that higher gloss corresponds to higher dispersion (col. 4, lines 16 – 17). Kajihara et al. (U.S. Patent No. 6,440,552 B1) teach that the higher the gloss, the lower the surface roughness (col. 5, lines 15 – 17). Kawasaki et al. (U.S. Patent No. 6,338,891 B1) teach an ink jet high gloss recording medium comprising agglomerated alumina particles in a coating layer having a controlled porosity (col. 3, lines 13 – 24 and col. 4, lines 27 – 28) and a 60° specular gloss of 70 % or more (col. 13, lines 12 – 15 and Table 3). Okumura et al. (U.S. Patent No. 5,856,001) teach an ink jet recording medium comprising agglomerated alumina particles in a binder (col. 3, lines 1 – 16) with a specific surface area controlled to within applicants' claimed limitations (col. 3, line 60 bridging col. 4,

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line 18). Ito et al. (U.S. Patent No. 6,136,440) teach that magnetic recording media and ink jet recording media are known to be analogous art (col. 1, lines 4 – 13).

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Applicants' amendment resulted in embodiments not previously considered which necessitated the new grounds of rejection, and hence the finality of this action. Specifically, prior embodiments did not require a specific 75° specular gloss value.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M Bernatz whose telephone number is (703) 308-1737. The examiner can normally be reached on M-F, 9:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Thibodeau can be reached on (703) 308-2367. The fax phone

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numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0651.



KMB
October 28, 2002



Vivian Chen
Primary Examiner